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EXAMINER
DANIEL JR, WILLIE J

ART UNIT	PAPER NUMBER
2686	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/052,030	MARCJAN ET AL.
	Examiner	Art Unit	
	Willie J. Daniel, Jr.	2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>06 December 2004</u>.
2a) ☒ This action is **FINAL.**   2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle,* 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1 and 3-50</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>1 and 3-50</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on <u>06 December 2004</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
        1. ☐ Certified copies of the priority documents have been received.
        2. ☐ Certified copies of the priority documents have been received in Application No. _____.
        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to applicant's amendment filed on 06 December 2004. **Claims 1,**

3-50 are now pending in the present application.

Drawings

2.   The objection to the drawings are withdrawn, as the proposed drawing corrections

are approved.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3-14, 16-17, 22, 24-26, 28-33, 35-39, 41-46, 49-50 are rejected under 35

U.S.C. 102(e) as being anticipated by Alanara et al. (hereinafter Alanara) (US 6,292,668 B1).

Regarding **Claim 1**, Alanara discloses an active messaging system in communication

with a short text messaging service of a digital mobile communications systems which reads

on the claimed "digital cellular telephone system" (see col. 4, lines 26-42; col. 6, lines 29-38;

Figs. 1-2, 8), comprising:

an application (17, 18) which reads on the claimed "active messaging client" stored in a

memory (14) which reads on the claimed "computer readable medium" of a terminal (1)

which reads on the claimed "digital cellular telephone" (see col. 10, lines 26-32; col. 13, lines

4-9; col. 14, lines 13-25; col. 21, lines 9-27; Figs. 1, 3, 8-11), where the system provides an

application for creating scripts for the menu application in which the scripts are interpreted to

execute the command sequences of the script,

the active messaging client includes an active messaging loader that distinguishes and

directs short text messages according to whether they include an active message script (see

col. 6, lines 29-60; col. 14, lines 13-38; Figs. 7, 10-11), where the active messaging loader

would be inherent for the system to respond to a message inquiry,

the active messaging client providing interpretation and execution of an active message

script included in a short text message received at the digital cellular telephone (1) by radiant

transmission (see col. 10, lines 26-32; col. 13, lines 4-9; col. 14, lines 13-25; col. 21, lines 9-

27; Figs. 1, 3, 8-11), where the system provides an application for creating scripts for the

menu application in which the scripts are interpreted to execute the command sequences of

the script; and

a server gateway (SERV GTW) which reads on the claimed "active message gateway" in

communication with the short text messaging service to receive short text messages from the

digital cellular telephone (1) and selectively forwarding the short text messages according to

whether they include an active message script (see col. 14, lines 26-38; Figs. 1, 3, 8), where

the system can forward messages according to the application for special services,

the active message gateway (SERV GTW) maintains a database of access privileges of

registered digital cellular telephones and registered application servers (see col. 13, line 52 -

col. 14, line 9), where the system has authorization primitives for user terminals and

authorization provided for a list of authorized servers.

Regarding **Claim 3**, Alanara discloses the system of claim 2 in which each short text

message includes a header and the short text messages that have an active message script

include an indication of the active message script in the header (see col. 3, lines 23-26,35-39;

col. 6, lines 29-60; col. 19, line 46 - col. 20, line 25; Figs. 4A-5).

Regarding **Claim 4**, Alanara discloses the system of claim 2 in which the active

messaging client includes an active message interpreter to which the active messaging loader

directs short text messages that include an active message script, the active message

interpreter providing interpretation and execution of the active message script (see col. 10,

lines 26-32; col. 13, lines 4-9, col. 14, lines 13-25; Figs. 8-11), where the active messaging

loader would be inherent.

Regarding **Claim 5**, Alanara discloses the system of claim 2 in which the active

messaging client includes an active message file manager to which the active messaging

loader directs short text messages that include an active message script, the active message

file manager providing storage of the active message script in a file system included on the

digital cellular telephone (1) (see col. 3, lines 23-26; col. 6, lines 29-53; col. 7, lines 53-56;

col. 10, lines 26-35; col. 11, line 64 - col. 12, line 9; col. 14, lines 13-25; Figs. 3, 8, 9), where

the application (17, 18) includes scripts of command sequences according to the menu

operation in which the active message file manager would be inherent for storing in the

memory (14). The processor (8) manages the control and files of the terminal.

Regarding **Claim 6**, Alanara discloses the system of claim 1 in which the active

messaging client includes an active message interpreter that receives the active message

script and provides interpretation and execution of the active message script (17, 18) (see col.

14, lines 13-25).

Regarding **Claim 7**, Alanara discloses the system of claim 1 in which the active

messaging client includes an active message file manager that receives the active message

script and provides storage of the active message script in a file system included on the

digital cellular telephone (1) (see col. 21, lines 9-27; col. 22, lines col. 3, lines 23-26; col. 6,

lines 29-53; col. 7, lines 53-56; col. 10, lines 26-35; col. 11, line 64 - col. 12, line 9; col. 14,

lines 13-25; Figs. 3, 8, 9), where the application (17, 18) includes scripts of command

sequences according to the menu operation in which the active message file manager would

be inherent for storing in the memory (14). The processor (8) manages the control and files

of the terminal.

Regarding **Claim 8**, Alanara discloses the system of claim 1 further comprising one

or more application servers (e.g., Internet, content service providers) in communication with

the active message gateway (SERV GTW), each of the one or more application servers

providing an active message application or service in response to a request directed from the

digital cellular telephone (1) (see col. 14, lines 26-38; Figs. 1-2, 8-11).

Regarding **Claim 9**, Alanara discloses the system of claim 8 in which the active

message gateway (SERV GTW) includes an active messaging connector service that

provides communication between the short text messaging service and one or more active

message service interfaces to the one or more application servers (see col. 5, lines 35-44; col.

10, lines 1-10,19-25; col. 14, lines 26-38; col. 15, lines 1-11; Figs. 2, 8-11), where the terminal is provided the special service information from the specific provider of the services.

Regarding **Claim 10**, Alanara discloses in a computer readable medium (14) of a digital cellular telephone (1), active messaging client software for active messages transmitted via a short text messaging service (see col. 21, lines 9-27), comprising:

active messaging loader software that distinguishes and directs short text messages according to whether they include an active message script (see col. 6, lines 29-60; col. 14, lines 13-38), where the active messaging loader would be inherent; and

script interpreter which reads on the claimed "active message interpreter software" to which the active messaging loader directs short text messages that include an active message script, the active message interpreter providing interpretation and execution of the active message script (see col. 10, line 26 - col. 11, line 12; col. 13, lines 4-9; col. 14, lines 13-25; col. 21, lines 9-27; Figs. 1, 3, 8-11), where the system provides an application for creating scripts for the menu application in which the scripts are interpreted to execute the command sequences of the script.

Regarding **Claim 11**, Alanara discloses the medium of claim 10 in which each short text message includes a header and the short text messages that have an active message script include an indication of the active message script in the header (see col. 3, lines 23-26,35-39; col. 6, lines 29-60; col. 19, line 46 - col. 20, line 25; Figs. 4A-5).

Regarding **Claim 12**, Alanara discloses the medium of claim 10 further including active message file manager software to which the active messaging loader directs short text messages that include an active message script, the active message file manager providing storage of the active message script in a file system included on the computer readable medium (14) (see col. 3, lines 23-26; col. 6, lines 29-53; col. 7, lines 53-56; col. 10, lines 26-35; col. 11, line 64 - col. 12, line 9; col. 14, lines 13-25; Figs. 3, 8, 9), where the application (17, 18) includes scripts of command sequences according to the menu operation in which the active message file manager would be inherent for storing in the memory (14).

Regarding **Claim 13**, Alanara discloses the medium of claim 10 in which the digital cellular telephone (1) includes a subscribed identity module (SIM card) with a computer readable medium (14) and in which the active messaging loader software and the active message interpreter software are stored on the computer readable medium of the subscriber identity module (see col. 6, lines 29-60; col. 14, lines 13-38; col. 21, lines 9-27; Fig. 9), where the active messaging loader would be inherent.

Regarding **Claim 14**, Alanara discloses the medium of claim 10 in which active message interpreter includes a global string buffer (GB) that is used for building character strings and a last result buffer (LRB) that is used for storing a most recent result (see col. 10, lines 1-10,19-25,31-35; col. 11 line 64 - col. 12, line 20; col. 14, lines 13-25,41-55; Figs. 9-11), where the application of the system can create menus for requesting information to be received and/or stored in the memory in which the GB and LRB are inherent.

Regarding **Claim 16**, Alanara discloses the medium of claim 10 in which active message script are a format:

<Instruction><Flags>[<Data>][<Address>] wherein <Instruction>specifies a command

to be executed, <Flags> specifies one or more options for the command, <Data> specifies

any data associated with the command, and <Address> is a byte-address of an instruction to

be executed under predefined conditions related to the command (see col. 6, lines 12-41; col.

9, lines 47-55; col. 12, lines 10-21; col. 13, lines 11-39; Figs. 5, 7, 10-11).

Regarding **Claim 17**, Alanara discloses in a computer readable medium (14) of a

digital cellular telephone (1), an active message script data structure for active messages

transmitted via a short text messaging service (see Figs. 1, 7-11), comprising:

<Instruction><Flags>[<Data>][<Address>] wherein <Instruction> field specifies a

command to be executed, <Flags> field is one byte in and specifies one or more options for

the command, <Data> field is one byte in and specifies any data associated with the

command, and <Address> field is two byte in and is a byte-address of an instruction to be

executed under predefined conditions related to the command (see col. 6, lines 12-41; col. 9,

lines 47-55; col. 12, lines 10-21; col. 13, lines 11-39; Figs. 4b, 5, 7, 10-11), where the system

provides the short text messages with scripts that relate to particular applications (e.g., menu

application) in which the command sequences are executed. The field size can be up to

several bytes in size.

Regarding **Claim 22**, Alanara discloses the medium of claim 17 further including a

send message instruction associated with the instruction field for transmitting a short text

message, destination flags associated with the flag field optionally specifying a destination

for the short text message, and a text string associated with the data field and optionally

specifying a destination for the short text message (see col. 4, lines 43-52; col. 11, line 64 - col. 12, line 20; col. 12, lines 62-64; col. 16, lines 1-12; Figs. 1, 7, 10-11).

Regarding **Claim 24**, Alanara discloses the medium of claim 17 further including a location instruction associated with the instruction field for obtaining location information about a location of the digital cellular telephone (1), and a destination flag associated with the flag field optionally specifying where the location information is to be stored (see col. 9, lines 43-67).

Regarding **Claim 25**, Alanara discloses the medium of claim 17 further including an execute instruction associated with the instruction field for initiating execution of an active message file stored on the digital cellular telephone (1), a file identification flag associated with the flag field optionally identifying the active message file to be executed, and a text string associated with the data field and optionally identifying the active message file to be executed (see col. 14, lines 47-65; Figs. 5, 10), where the terminal is able to playback stored files.

Regarding **Claim 26**, Alanara discloses the medium of claim 17 further including an execute instruction associated with the instruction field for initiating execution of an active message file stored on the digital cellular telephone (1), a file identification flag associated with the flag field optionally identifying the active message file to be executed (see col. 14, lines 47-65; Figs. 5, 10), where the terminal is able to playback stored files.

Regarding **Claim 28**, Alanara discloses the medium of claim 17 further including an addressbook instruction associated with the instruction field for directing retrieval of information from an addressbook stored on the digital cellular telephone, and an addressbook

entry flag associated with the flag field for specifying one or more addressbook entries to be

retrieved (see col. 7, lines 7-15,34-39; Fig. 6).

Regarding **Claim 29**, Alanara discloses the medium of claim 17 further including an

application instruction associated with the instruction field for identifying an application to

be utilized by another service (see col. 10, line 44 - col. 11, line 12; col. 14, lines 13-38; Figs.

7, 10-11), where the application can create multiple menu application to be used by internally

stored information or external servers for providing information. The "Business card"

application can be used by the "Short dial" application (see col. 7, lines 34-42) and

downloaded "Ringing tones" can be played back by an internal playback program which

would be inherent.

Regarding **Claim 30**, Alanara discloses in a mobile telephone short text messaging

system, an active message gateway method for short text messages that include an active

message script (Figs. 1-2, 8, 10-11), comprising:

receiving at an active message gateway short text messages transmitted from a mobile

telephone (1) (see col. 5, lines 34-51; Figs. 2, 8);

distinguishing among the short text messages ones that include an active message script

from ones that do not include an active message script, the short text messages that do not

include an active message script including destination addresses corresponding to short text

messaging destinations (see col. 4, lines 46-52; col. 5, lines 11-21; col. 14, lines 26-38; Figs.

1, 8);

forwarding the short text messages that do not include an active message script to the

short text messaging destinations corresponding to the destination addresses (see col. 4, lines

46-52; col. 5, lines 11-21; Fig. 1);

interpreting the active message script in the short text messages that include it and

transmitting any corresponding response (see col. 10, lines 1-10,19-25; col. 14, line 13-38;

Figs. 10-11).

Regarding **Claim 31**, Alanara discloses the method of claim 30 further comprising

authenticating that the mobile telephone (1) is associated with the active message gateway

prior to interpreting the active message script (see col. 9, lines 1-12; col. 13, line 40 - col. 14,

line 26).

Regarding **Claim 32**, Alanara discloses the method of claim 30 further comprising:

determining whether the active message script is to be executed locally by the active

message gateway (SERV GTW) or remotely by an application server (e.g., Internet; content

service provider) that is in computer network communication with the active message

gateway (SERV GTW) (see col. 14, lines 13-38; Figs. 2, 8, 10-11); and

executing the active message script at the active message gateway (SERV GTW) or the

remote application server (e.g., Internet; content service provider) according to the

determination (see col. 14, lines 13-38; Figs. 2, 8, 10-11).

Regarding **Claim 33**, Alanara discloses the method of claim 32 wherein the active

message script is executed at the remote application server (e.g., Internet; content service

provider), the method further comprising re-formatting the active message script at the active

message gateway before transmitting the active message script to the remote application

server for execution (see col. 17, lines 7-45,63-67; Fig. 7), where the SMS messages are re-

formatted for HTML code communication with an internet server for requesting of

information via the mobile terminal.

Regarding **Claim 35**, Alanara discloses the method of claim 30 further comprising:

determining whether the active message script is to be executed locally by the

active message gateway (SERV GTW) or remotely by another mobile telephone (MS2) (see

col. 6, lines 29-34; col. 14, lines 13-38; Figs. 1, 8); and

executing the active message script at the active message gateway (SERV) or at the other

mobile telephone (MS2) according to the determination (see col. 6, lines 29-34; col. 14, lines

13-38; Figs. 1, 8-11).

Regarding **Claim 36**, Alanara discloses in a computer readable medium of a mobile

telephone short text messaging system, active message gateway software for short text

messages that include an active message script (see Figs. 1-2, 8), comprising:

software for receiving at an active message gateway short text messages transmitted from

a mobile telephone (1) (see col. 5, lines 34-51; Figs. 2, 8);

software for distinguishing among the short text messages ones that include an active

message script from ones that do not include an active message script, the

short text messages that do not include an active message script including destination

addresses corresponding to short text messaging destinations (see col. 4, lines 46-52; col. 5,

lines 11-21; col. 14, lines 26-38; Figs. 1, 8);

software for forwarding the short text messages that do not include an active

message script to the short text messaging destinations corresponding to the destination

addresses (see col. 4, lines 46-52; col. 5, lines 11-21; Fig. 1);

software for interpreting the active message script in the short text messages that include

it and transmitting any corresponding response (see col. 10, lines 1-10,19-25; col. 14, line 13-

38; Figs. 10-11).

Regarding **Claim 37**, Alanara discloses the medium of claim 36 further comprising

software for authenticating that the mobile telephone (1) is associated with the active

message gateway (SERV) prior to interpreting the active message script (see col. 9, lines 1-

12; col. 13, line 40 - col. 14, line 26).

Regarding **Claim 38**, Alanara discloses the medium of claim 36 further comprising:

software for determining whether the active message script is to be executed locally by

the active message gateway (SERV GTW) or remotely by an application server (e.g.,

Internet; content service provider) that is in computer network communication with the active

message gateway (SERV GTW) (see col. 14, lines 13-38; Figs. 2, 8, 10-11); and

software for executing the active message script at the active message gateway or the

remote application server (e.g., Internet; content service provider) according to the

determination (see col. 14, lines 13-38; Figs. 2, 8, 10-11).

Regarding **Claim 39**, Alanara discloses he medium of claim 38 wherein the active

message script is executed at the remote application server, the method further comprising

software for re-formatting the active message script at the active message gateway before

transmitting the active message script to the remote application server (e.g., Internet; content

service provider) for execution (see col. 17, lines 7-45,63-67; Fig. 7), where the SMS

messages are re-formatted for HTML code communication with an internet server for

requesting of information via the mobile terminal.

Regarding **Claim 41**, Alanara discloses the medium of claim 36 further comprising:

software for determining whether the active message script is to be executed locally by

the active message gateway (SERV) or remotely by another mobile telephone (MS2) (see

col. 6, lines 29-34; col. 14, lines 13-38; Figs. 1, 8); and

software for executing the active message script at the active message gateway (SERV)

or at the other mobile telephone (MS2) according to the determination (see col. 6, lines 29-

34; col. 14, lines 13-38; Figs. 1, 8-11).

Regarding **Claim 42**, Alanara discloses the medium of claim 36 further comprising a

GetServiceList active message command data structure that returns to the mobile telephone

(1) a list of services available through the active message gateway (SERV) (see col. 10, lines

31-38; col. 10, line 48 - col. 11, line 12; col. 11, lines 38-42).

Regarding **Claim 43**, Alanara discloses the medium of claim 36 further comprising a

GetService active message command data structure that provides a request for a particular

service via the active message gateway (SERV) (see col. 10, lines 1-10; Figs. 8, 10-11).

Regarding **Claim 44**, Alanara discloses the medium of claim 36 further comprising

an InstallService active message command data structure that functions to obtain active

message script for a service and install the active message script on the mobile telephone (1)

(see col. 10, lines 31-38; col. 10, line 48 - col. 11, line 12).

Regarding **Claim 45**, Alanara discloses the medium of claim 36 further comprising a

GetUserList active message command data structure that returns a list of users available

through the active message gateway (see col. 7, lines 7-52; Fig. 6).

Regarding **Claim 46**, Alanara discloses the medium of claim 36 further comprising a

GetUser active message command data structure that returns information about or establishes

a connection with a user available through the active message gateway (SERV) (see col. 10,

lines 19-25).

Regarding **Claim 49**, Alanara discloses the medium of claim 36 further comprising a

SendActiveMessage active message command data structure that sends a short text message

that includes active message script (see col. 6, lines 29-45), where the user of the terminal is

able to send and receive messages.

Regarding **Claim 50**, Alanara discloses the medium of claim 36 further comprising a

SendMessage active message command data structure that sends a short text message that

does not include active message script (see col. 5, lines 10-16; Fig. 1), where the user of the

terminal is able to send and receive messages.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
such that the subject matter as a whole would have been obvious at the time the invention was made to a person
having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
manner in which the invention was made.

Claims 15, 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alanara et al.

(hereinafter Alanara) (US 6,292,668 B1) in view of Comer (US 5,610,973).

Regarding **Claim 15**, Alanara discloses the medium of claim 10 in which the active

message script includes text strings, wherein all text strings are prefixed with their byte-size

(see col. 12, lines 62-64; col. 13, line 9; col. 14, line 13-25; col. 6, lines 12-41; Figs. 4A-5),

where the scripts are text strings of command sequences in which the fields of the frames

have particular bit/byte size. Alanara fails to disclose having the features of the script

including jumps; all jumps are made to specific byte locations within the script. However,

the examiner maintains that the features of the script including jumps; all jumps are made to

specific byte locations within the script was well known in the art, as taught by Comer.

In the same field of endeavor, Comer discloses the features of the script including

jumps; all jumps are made to specific byte locations within the script (see col. 22, lines 42-

47; col. 24, lines 57-60; col. 24, line 24 - col. 25, line 2; Fig. 7 "200").

Therefore, it would have been obvious to one of ordinary skill in the art at the time

the invention was made to combine the teachings of Alanara and Comer to have the features

of the script including jumps; all jumps are made to specific byte locations within the script,

in order to provide scripts with jump commands to labels, as taught by Comer.

Regarding **Claim 27**, Alanara discloses fails to disclose having the feature further

including a goto instruction associated with the instruction field for directing execution of the

active message script to jump to a specified byte location in the script, and a byte address flag

associated with the address field for identifying the byte location for the script to jump to.

However, the examiner maintains that the feature further including a goto instruction

associated with the instruction field for directing execution of the active message script to

jump to a specified byte location in the script, and a byte address flag associated with the

address field for identifying the byte location for the script to jump to was well known in the

art, as taught by Comer.

Comer further discloses the feature further including a goto instruction associated

with the instruction field for directing execution of the active message script to jump to a

specified byte location in the script, and a byte address flag associated with the address field

for identifying the byte location for the script to jump to (see col. 22, lines 42-47; col. 24,

lines 57-60; col. 24, line 24 - col. 25, line 2; Fig. 7 "200").

Therefore, it would have been obvious to one of ordinary skill in the art at the time

the invention was made to combine the teachings of Alanara and Comer to have the feature

further including a goto instruction associated with the instruction field for directing

execution of the active message script to jump to a specified byte location in the script, and a

byte address flag associated with the address field for identifying the byte location for the

script to jump to, in order to provide scripts with jump commands to labels, as taught by

Comer.

Claims 18-21, 23, 34, 40, 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Alanara et al. (hereinafter Alanara) (US 6,292,668 B1) in view of Chen et al. (hereinafter

Chen) (US 2003/0054810 A1).

Regarding **Claim 18**, Alanara discloses a including a print instruction associated with

the instruction field for printing a text string (command sequence), destination flags

associated with the flag field specifying whether the text string is to be printed to from a

memory buffer (14) (see col. 11, line 64 - col. 12, line 20; col. 12, lines 62-64; col. 16, lines

1-12; Figs. 7, 10-11). Alanara fails to disclose having the feature a text string associated with

the data field and representing the text string to be printed. However, the examiner maintains

that the feature a text string associated with the data field and representing the text string to

be printed was well known in the art, as taught by Chen.

In the same field of endeavor, Chen discloses the feature a text string associated with

the data field and representing the text string to be printed (see Figs. 12, 15), where a text

string is displayed.

Therefore, it would have been obvious to one of ordinary skill in the art at the time

the invention was made to combine the teachings of Alanara and Chen to have the feature a

text string associated with the data field and representing the text string to be printed, in order

to display a text string, as taught by Chen.

Regarding **Claim 19**, Alanara discloses an input instruction associated with the

instruction field for printing a text string and requesting input from a user, content

identification flags associated with the flag field optionally specifying the text string is to be

printed (see col. 2, lines 65-67; col. 11, line 64 - col. 12, line 20; col. 12, lines 62-64; Figs. 7,

10-11). Alanara fails to disclose having the feature a text string associated with the data field and optionally representing the text string to be printed. However, the examiner maintains that the feature a text string associated with the data field and optionally representing the text string to be printed was well known in the art, as taught by Chen.

Chen further discloses the feature a text string associated with the data field and optionally representing the text string to be printed (see Figs. 12, 15), where a text string is displayed.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Alanara and Chen to have the feature a text string associated with the data field and optionally representing the text string to be printed, in order to display a text string, as taught by Chen.

Regarding **Claim 20**, Alanara discloses further including a select instruction associated with the instruction field for printing a plurality of text strings, destination flags associated with the flag field specifying a location to which a user selection is to be returned (see col. 11, line 64 - col. 12, line 20; col. 12, lines 62-64; col. 16, lines 1-12; Figs. 7, 10-11). Alanara fails to disclose having the feature of plural text strings associated with the data field and representing the plural text string to be printed. However, the examiner maintains that the feature of plural text strings associated with the data field and representing the plural text string to be printed was well known in the art, as taught by Chen.

Chen further discloses the feature of plural text strings associated with the data field and representing the plural text string to be printed (see Figs. 12, 15), where a text string is displayed.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Alanara and Chen to have the feature plural text strings associated with the data field and representing the plural text string to be printed, in order to display a text string, as taught by Chen.

Regarding **Claim 21**, Alanara discloses further including a condition instruction associated with the instruction field for comparing a pair of condition strings and jumping to a specified address when the pair of condition strings satisfies a predefined condition, flags associated with the flag field optionally specifying one of the condition strings and optionally specifying the predefined condition (see col. 2, lines 65-67; col. 11, line 64 - col. 12, line 20; col. 12, lines 62-64; Figs. 7, 10-11), where the user is able to selecting between time comparisons conditions in which the jumping to the returned information slot would be obvious. Alanara fails to disclose having the feature a text string associated with the data field and optionally representing one of the condition strings. However, the examiner maintains that the feature a text string associated with the data field and optionally representing one of the condition strings was well known in the art, as taught by Chen.

Chen further discloses the feature a text string associated with the data field and optionally representing one of the condition strings (see Figs. 12, 15), where a text string is displayed.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Alanara and Chen to have the feature a text string associated with the data field and optionally representing one of the condition strings, in order to display a text string, as taught by Chen.

Regarding **Claim 23**, Alanara discloses further including a call instruction associated with the instruction field for initiating a telephone call, destination flags associated with the flag field optionally specifying a telephone number for the telephone call (see col. 11, lines 36-38,58-61; col. 7, lines 34-41; col. 7, line 57 - col. 8, line 14). Alanara fails to disclose having the feature a text string associated with the data field and optionally specifying a telephone number for the telephone call. However, the examiner maintains that the feature a text string associated with the data field and optionally specifying a telephone number for the telephone call was well known in the art, as taught by Chen.

Chen further discloses the feature a text string associated with the data field and optionally specifying a telephone number for the telephone call (see Figs. 12, 15), where a text string is displayed.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Alanara and Chen to have the feature a text string associated with the data field and optionally specifying a telephone number for the telephone call, in order to display a text string, as taught by Chen.

Regarding **Claim 34**, Alanara discloses the active message script is re-formatted (see col. 19, lines 24-31), where the formatting of SMS to a markup language such as HTML is done when communicating with the internet. Alanara fails to disclose having the feature of re-formatted into an XML file format. However, the examiner maintains that the feature of re-formatted into an XML file format was well known in the art, as taught by Chen.

Chen further discloses the feature of re-formatted into an XML file format (see pg. 3, [0045]; pg. 4, [0062]; pg. 10, [0136]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time

the invention was made to combine the teachings of Alanara and Chen to have the feature of

re-formatted into an XML file format, in order to allow communications with various

protocols and to retrieve information from XML files or databases, as taught by Chen.

Regarding **Claim 40**, Alanara discloses the active message script is re-formatted (see

col. 19, lines 24-31), where the formatting of SMS to a markup language such as HTML is

done when communicating with the internet. Alanara fails to disclose having the feature of

re-formatted into an XML file format. However, the examiner maintains that the feature of

re-formatted into an XML file format was well known in the art, as taught by Chen.

Chen further discloses the feature of re-formatted into an XML file format (see pg. 3,

[0045]; pg. 4, [0062]; pg. 10, [0136]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time

the invention was made to combine the teachings of Alanara and Chen to have the feature of

re-formatted into an XML file format, in order to allow communications with various

protocols and to retrieve information from XML files or databases, as taught by Chen.

Regarding **Claim 47**, Alanara discloses the feature a designated user to a list of

selected users maintained in association with the mobile telephone (1) (see col. 7, lines 7-52;

Figs. 3, 6). Chen fails to disclose having the feature an AddUser active message command

data structure that adds. However, the examiner maintains that the feature an AddUser active

message command data structure that adds was well known in the art, as taught by Chen.

Chen further discloses the feature an AddUser active message command data

structure that adds (see Fig. 10A), where the figure displays "Add Buddy".

Therefore, it would have been obvious to one of ordinary skill in the art at the time

the invention was made to combine the teachings of Alanara and Chen to have the feature an

AddUser active message command data structure that adds, in order add a buddy, as taught

by Chen.

Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Alanara et al.

(hereinafter Alanara) (US 6,292,668 B1) in view of well known prior art (MPEP 2144.03).

Regarding **Claim 48**, Alanara discloses every limitation claimed, as applied above,

(see Claim 36), in addition Alanara discloses the feature of a user from a list of selected users

maintained in association with the mobile telephone (1) (see col. 7, lines 7-52; Figs. 3, 6).

Alanara fails to disclose the feature of a DeleteUser active message command data structure

that deletes a user. However, the examiner takes official notice of the fact that it was well

known in the art to have the feature of a DeleteUser active message command data structure

that deletes a user.

Therefore, it would have been obvious to one of ordinary skill in the art at the time

the invention was made to modify Alanara by specifically providing the feature of a

DeleteUser active message command data structure that deletes a user, for the purpose of

deleting a user from a list.

Response to Arguments

5.   Applicant's arguments filed 06 December 2004 have been fully considered but they

are not persuasive.

Examiner respectfully disagrees with applicant's arguments as the applied

reference(s) provide more than adequate support and to further clarify (see the above claims

and comments in this section).

6.   In response to applicant's arguments against the references individually, one cannot

show nonobviousness by attacking references individually where the rejections are based on

combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In*

re Merck & Co., 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Conclusion

7.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until

after the end of the THREE-MONTH shortened statutory period, then the shortened statutory

period will expire on the date the advisory action is mailed, and any extension fee pursuant to

37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of

this final action.

8.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Willie J. Daniel, Jr. whose telephone number is (571) 272-

7907. The examiner can normally be reached on 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Marsha D. Banks-Harold can be reached on (571) 272-7905. The fax phone

number for the organization where this application or proceeding is assigned is 703-872-

9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status information

for unpublished applications is available through Private PAIR only. For more information

about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access

to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197
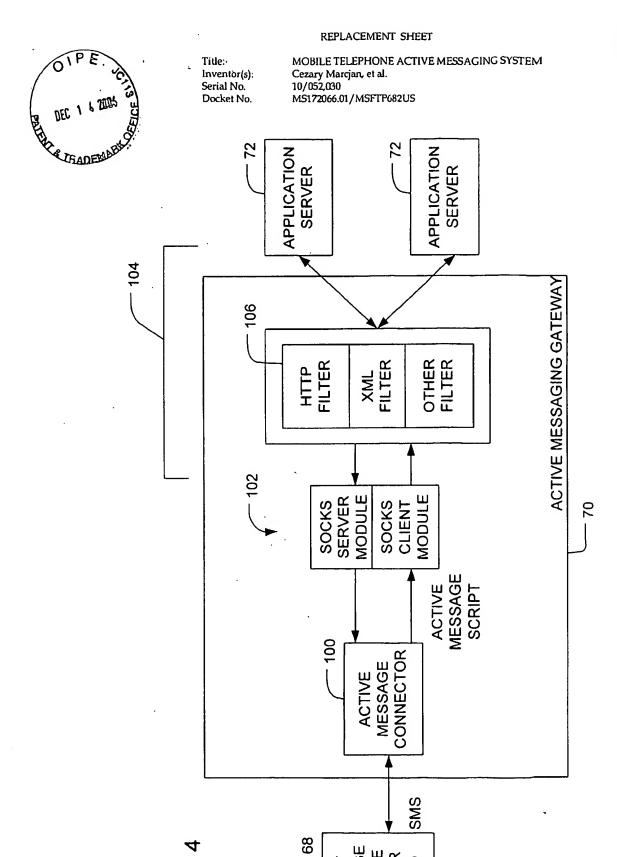
(toll-free).

WJD,JR
02 June 2005

Marsha O Banks-Harold
MARSHA D. BANKS-HAROLD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

Approved
db/b2/2005

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PATENT & TRADEMARK OFFICE

Fig. 4

Fig. 7

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ACTIVE MESSAGE WIZARD — 142

APP NAME [REATAURANT ▽]

— 144

[ID [GL]   HOST [myhost]   PATH [/GL.asp]]

146 —

INSTRUCTIONS

— 148

PRINT
SELECT
INPUT
IF
MESSAGE
CALL
LOCATION
ADDRSBOOK
EXECUTE
GOTO
CLEAR

MESSAGE – Send an SMS Message – contents of GB

Label [   ]

Message To: [Bill]

Flags: [X] Look-up name in address book

[   ] Get name/number from last result

Jump to label [   ]

[·Send Active Msg] to phone number:

[+18885551234]

LABEL	INSTRUCTION	JUMP
	BUF += "Let's have"	
	BUF +=Select("Italian", "Mexican", "Indian")	
	BUF += "food"	
	PRINT BUF	
	SEND (Name= "Bill") BUF	

[OK] [CANCEL] [REMOVE] [SAVE SCRIPT] [CLEAR SCRIPT]

[SEND ACTIVE MESSAGE]

— 150

Script: R%01P%01%0BLet%27s%20have%20%7F%7FS%03%07Itt
alian%07Mexican%06Indian%00%7F%7FP%01%06%20food.
%7F%FP%04%00%7F%7FM%01%04Bill%7F%7F

Approved
BB 06/02/2005

Fig. 6

140

ACTIVE MESSAGE WIZARD /— 144

APP NAME REATAURANT ▽

144

| ID | GL | HOST | myhost | PATH | /GL.asp |

146

INSTRUCTIONS

148

| PRINT |
| SELECT |
| INPUT |
| IF |
| MESSAGE |
| CALL |
| LOCATION |
| ADDRSBOOK |
| EXECUTE |
| GOTO |
| CLEAR |

SELECT AN ITEM FROM THE LIST

Item 1, Item 2, ... Italian, Mexican, Indian   OK

Flags: [X] Return text instead of index

[X] Append to BUF (and store in TMP)

[ ] Include adrressbook in selection list

[ ] Copy to selection to ARG

[ ] Prefix the output with length (BUF & ARG only)

LABEL	INSTRUCTION	JUMP
	BUF += "Let's have"	
	BUF +=Select("Italian", "Mexican", "Indian")	
	BUF += "food"	
	PRINT BUF	
	SEND (Name= "Bill") BUF	

[OK] [CANCEL] [REMOVE] [SAVE SCRIPT] [CLEAR SCRIPT]

[SEND ACTIVE MESSAGE]

Script: R%01P%01%0BLet%27s%20have%20%7F%7FS%03%07Itt
alian%07Mexican%06Indian%00%7F%7FP%01%06%20food.
%7F%FP%04%00%7F%7FM%01%04Bill%7F%7F